

Open Letter

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Wojciech Sadurski , Laurent Pech Di 7 Aug 2018

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We, the undersigned, have learnt that Chief Justice of the Supreme Court of Poland Professor Małgorzata Gersdorf has had her constitutionally guaranteed term of office of six years prematurely terminated by a new statute on the Supreme Court rushed through the Polish Parliament and signed by President Andrzej Duda on 26 July 2018.



We also understand that the Chief Justice vigorously protests this unconstitutional act of forcing her into retirement half-way through her constitutionally defined 6-year term of office.

Such a politically motivated action is not only contrary to an express provision of the Constitution of the Republic of Poland (Article 183 (3)) but also constitutes a blatant violation of European standards on judicial independence which Polish authorities are under an obligation to respect.

We firmly hold the view that Professor Małgorzata Gersdorf is the only lawful and legitimate incumbent of the office of Chief Justice until 30 April 2020, i.e. until the end of her constitutionally designated term of office.

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